IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR.

S.B. CIVIL SECOND APPEAL NO.104/2003
Ram Chandra Vs. State of Raj. & Ors.
11.12.2007.

HON'BLE MR. JUSTICE DALIP SINGH

Shri Babu Lal Gupta, for the appellant.
Shri D.D. Sharma, Asstt. Government Advocate.

Heard learned counsel for the appellant and perused the record of the courts below.

I am in agreement with the view taken by the courts below and have perused the order dated 10.4.1987 passed by the appellate authority which dismissed the appeal filed by the plaintiff appellant against the order of punishment dated 2.4.1986. This document was filed in appeal before the lower appellate court and bears the signature of the plaintiff Ram Chandra with endorsement of the date 18.4.1987. The comparison of the signatures of Ram Chandra with his signatures on the plaint and Vakalatnama go to show that there is no room to doubt that the appellate authority's order dated 10.4.1987 was received by the appellant on 18.4.1987 and on receiving the same he has put his signatures on the same. Thus the courts below have rightly held that the suit filed on 23.8.1996 after nearly 10 years of passing of the impugned order dated 2.4.1986 was barred by limitation.

This second appeal is accordingly dismissed summarily.

(DALIP SINGH),J.

Ramchandrkhatri,PS